

WEDNESDAY, MAY 5, 1982

EIGHTY-NINTH LEGISLATIVE DAY

Pursuant to House Joint Resolution No. 463 the House met at 12:00 o'clock noon and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Brother Harold Dean Linville, Hartsville Baptist Church, Hartsville, Tennessee.

Representative Bell (Wilson) led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present . . . . . 88

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

The Speaker announced that Representative Buck was excused because of previous business commitment.

MOTIONS

On motion of Mr. DePriest, Senate Bill No. 2153 was recalled from the Senate for further consideration.

On motion of Mr. Rhinehart, Senate Bill No. 2131 was recalled from the Senate for further consideration.

**FURTHER CONSIDERATION OF AMENDED BILL**

Senate Bill No. 1662--To regulate limitations, certain vehicles.

Mr. Wheeler moved that the House refuse to recede from its action in adopting Amendments Nos. 2 and 6 to Senate Bill No. 1662, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 1521**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill 1521 (House Bill 1455) have met and recommend that the following House amendments be deleted: 1; and recommend that the following Senate amendments be deleted: 1.

The Committee further recommends the following amendment to Senate Bill 1521 (House Bill 1455) be adopted:

AMEND by deleting from Section 3 the following language:

A former governor or his surviving spouse shall receive the full allowance payable pursuant to the provisions of this Part provided such governor served at least two (2) full years in office. The allowance payable to a former governor or his surviving spouse, who served less than two (2) full years, shall be prorated in accordance with the time actually served as compared with the two (2) year minimum required to receive a full benefit.

and substituting in lieu thereof the following:

A former governor or his surviving spouse shall receive the full allowance payable pursuant to the provisions of this Part provided such governor served at least one (1) full year in office. The allowance payable to a former governor or his surviving spouse, who served less than one (1) full year, shall be prorated in accordance with the time actually served as compared with the one (1) year minimum required to receive a full benefit. If the death of a governor shall occur while he is serving in office his surviving spouse shall receive the full allowance payable regardless of the time served by the governor.

Respectfully submitted,

FOR THE SENATE:

Sen. Leonard C. Dunavant, Chairman  
Sen. Edward C. Blank, II  
Sen. Riley C. Darnell

FOR THE HOUSE:

Rep. John T. Bragg  
Rep. James R. McKinney  
Rep. Shelby A. Rhinehart

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Mr. Rhinehart moved that the Report of the Conference Committee on Senate Bill No. 1521 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes . . . . .	91
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton --91.

A motion to reconsider was tabled.

### FURTHER CONSIDERATION OF AMENDED BILL

Senate Bill No. 1587--To regulate industrial development bonds:

Mr. Murphy (Davidson) moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the difference between the two bodies on Senate Bill No. 1587, which motion prevailed.

### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Murphy (Davidson), Stafford and Owen as the Conference Committee on Senate Bill No. 1587.

### HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1592--To authorize county legislative bodies to levy certain tax.

### SENATE AMENDMENT NO. 9

Amend House Bill No. 1592 by deleting the second paragraph of Section 7 in its entirety and by inserting therein the following language :

"Three of the five citizen members of the Commission which is charged with the expenditure or budgeting of this fund shall

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be persons representing the hospitality industry. These members shall be appointed by the Memphis and Shelby County Mayors from a list of recommendations submitted by the Memphis Hotel and Motel Association, the Memphis Restaurant Association, and the Memphis Chapter of the Tennessee Restaurant Association."

Mr. Gill moved that the House concur in Senate Amendment No. 9, which motion prevailed by the following vote:

Ayes . . . . .	83
Noes . . . . .	8

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Work, Yelton and Mr. Speaker McWhorter--83.

Representatives voting no were: Carter, Copeland, McAfee, Shirley, Small, Turner, Wolfe and Wood--8.

A motion to reconsider was tabled.

### FURTHER CONSIDERATION OF AMENDED BILL

Senate Bill No. 252--To amend Local Option Act.

Mr. Miller moved that the Speaker appoint a new Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 252, which motion prevailed.

### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Murray, Bell (Knox), Stafford, Bell (Wilson) and Miller as the new Conference Committee on Senate Bill No. 252.

### FURTHER CONSIDERATION OF AMENDED BILL

Senate Bill No. 1446--To amend Chapter 448, Public Acts, 1981.

Mr. Pickering moved that the House refuse to recede from its action in adopting Amendments Nos. 1, 2 and 3 to Senate Bill No. 1446,

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which motion prevailed.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 1910--To make certain provisions, litigation taxes.

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 1910 by deleting Sections 1 and 2 in their entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 20-12-102, is amended by deleting the section in its entirety and substituting instead the following language:

Litigation taxes shall be payable as required by Tennessee Code Annotated, Section 67-4102, Item J. Provided, however, a successful plaintiff in any civil action shall be reimbursed by the defendant for any litigation tax incurred, in the same manner as are costs.

Mr. Chiles moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes . . . . .	90
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 1927--To regulate board and lodging, petit jurors, criminal cases.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1927 by adding the following sentence at the end of the amendatory language of Section 1:

Provided, however, that such daily sum shall not exceed two hundred fifty dollars (\$250).

Mr. McAfee moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes . . . . .	90
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 1947--To permit county judges to participate in retirement system.

SENATE AMENDMENT NO. 2

Amend House Bill No. 1947 by adding the following new sections immediately preceding the effective date section to be appropriately numbered and by renumbering the effective date section accordingly:

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 8-35-116(b) (1), is further amended by adding the following language at the end of such item:

(A) No employee or elected or appointed official of the state or any political subdivision thereof shall be entitled to receive retirement benefits from the Tennessee Consolidated Retirement System, any superseded retirement system or any other public pension system if such employee or official shall be convicted in any court of the State of

Tennessee of a felony arising out of his employment or official capacity, constituting malfeasance in office.

(B) Upon initial conviction, or upon a plea of guilty or nolo contendere, any person subject to the provisions of this section shall:

(1) have his benefit stopped immediately, if he is receiving a benefit; and

(2) receive a refund of the accumulated contributions credited to his account, if any, less any benefits received.

(C) The employing agency shall be responsible for immediately notifying the administrator of the retirement system of the conviction of any person subject to the provisions of this section.

(D) In the event the conviction of such person shall be later overturned in any court and such person is acquitted, or is granted a full pardon, he shall be restored to all rights, privileges and benefits as if the conviction had never occurred.

(E) This section shall apply only to persons who become members of public pension plans after the effective date of this act.

SECTION \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

### **SENATE AMENDMENT NO. 3**

Amend House Bill No. 1947 by deleting Section 1 in its entirety, and by substituting instead the following new sections and renumbering subsequent sections accordingly:

SECTION 1. Tennessee Code Annotated Section 8-35-116(b) (1) is amended by deleting the first sentence in its entirety and by substituting instead the following:

Any person elected or appointed in a full-time position, as a county judge, executive or county official, as defined by the laws governing the retirement system, may elect to participate in the Tennessee consolidated retirement system. The employer cost of such participation shall be paid from funds appropriated by the county legislative body for the office of the participating judge,

executive or official or from the excess fees of the participating official's office, where such excess fees are available. Provided, however, such election to participate in the Tennessee consolidated retirement system shall not be available to judges, executives or county officials in counties which provide a county retirement system in which such officials may participate, without a resolution by the county legislative body allowing such election and the approval of the state retirement division. Provided, further, that if any person who has obtained vesting in the Tennessee consolidated retirement system and who is elected or appointed as a county judge, executive or county official in such counties which provides a county retirement system, such person shall have the right of electing in writing to continue participation in the Tennessee consolidated retirement system.

SECTION \_\_\_\_\_. Tennessee Code Annotated Section 8-35-116 (b)(1) is hereby further amended by deleting the last sentence of the subsection in its entirety and substituting instead the following:

Employer contributions will be determined by the state retirement division based on an actuarial valuation for each county with county officials electing to participate under the provisions of this subsection.

AND FURTHER AMEND by deleting the effective date section in its entirety and substituting the following new section to be appropriately numbered;

SECTION \_\_\_\_\_. This Act shall become effective on July 1, 1982, the public welfare requiring it.

Mr. Rhinehart moved that the House concur in Senate Amendments Nos. 2 and 3, which motion prevailed by the following vote:

Ayes . . . . .	90
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings,



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Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton--90.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

280--Relative to sine die adjournment, 92nd General Assembly; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

282--Relative to memory, Len G. Broughton, Jr.; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.:

2295--To create Board of Education, Hardeman County; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**FURTHER CONSIDERATION OF AMENDED BILL**

Senate Bill No. 2126--To regulate compensation, courts of general sessions.

Mr. Murphy (Davidson) moved that the House refuse to recede from its action in adopting Amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 17 and 19 to Senate Bill No. 2126, which motion prevailed.

**FURTHER CONSIDERATION OF SENATE BILL NO. 2214**

Senate Bill No. 2214--To amend Chapter 19, Title 48, Code.

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Mr. Murphy (Davidson) moved that the motion to reconsider Senate Bill No. 2214 be lifted from the table, which motion prevailed.

Mr. Murphy (Davidson) moved that the House reconsider its action in passing Senate Bill No. 2214 on third and final consideration, as amended, which motion prevailed.

Mr. Murphy (Davidson) moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Murphy (Davidson) moved that Amendment No. 1 be withdrawn, which motion prevailed.

Mr. Murphy (Davidson) moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 2214 by amending the amendatory language of Section 6 so as to substitute "Subsection 6" for "Subsection 5" and so as to substitute "Subsection 7" for "Subsection 6" and so as to substitute "Subsection 8" for "Subsection 7" and by adding the following new items (D), (E) and (F) to Section 6:

(D) The following language shall be added at the end of subparagraph or subsection (5)

"Provided, however, no corporation created under this chapter shall finance or undertake any project for any participating institution or for any multi-family housing facility located outside of the grand division boundaries of the creating municipality in which the corporation is located."

(E) The following new paragraph (13) is added to read as follows:

"To provide (no later than sixty days after the date of any bond sale pursuant to the provisions hereof) by a representative as the corporation may by resolution designate the office of the commissioner of economic and community development, industrial development division, department of economic and community development, the following information:

- (1) Identity of the issuing Health, Educational and Housing Facility;
- (2) Name of lessee or contracting party;
- (3) Total amount of bond issue;
- (4) Bond interest and maturity schedule; and
- (5) Identity of underwriters and financial advisors."

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(F) The following new paragraph is added at the end of the section, such paragraph to read as follows:

"Notwithstanding any other provisions of this chapter, no bonds shall be issued under this chapter to finance a project unless the issuance of such bonds shall have been approved by the Commissioner of Economic and Community Development, which approval shall not be unreasonably withheld. Such official, in determining whether or not to approve the issuance of such bonds, shall consider the following:

(a) The availability and comparable cost of other types of financing for such project;

(b) The suitability of the issuance of such bonds by the corporation rather than by an industrial development corporation or some other public body, taking into consideration, among other things, market conditions, market acceptability and such changes as may occur from time to time in the U.S. Internal Revenue Code or the regulations thereunder;

(c) If such project is to be leased to a for-profit corporation, or partnership whether such proposed lease requires the payment by the corporate or partnership lessee of an amount in lieu of taxes equal to that which would have been payable by such lessee if such lessee were the owner of the project. The municipality shall have the power to delegate to the corporation the authority to negotiate and accept from the corporation's or partnership's lessees, payments in lieu of ad valorem taxes, provided that any such authorization shall be granted only upon a finding that such payments are deemed to be in furtherance of the corporation's public purposes. With regard to any project located within an area designated as the center-city area by a municipality in which there has been created a central business improvement district pursuant to Section 7-84-101 et seq., the amount of such payments shall not be fixed below the lesser of:

(1) Ad valorem taxes otherwise due and payable by a tax paying entity upon the current fair market value of the leased properties; or

(2) Ad valorem taxes that were or would have been due and payable on the leased properties for the period immediately preceding the date of their acquisition by the corporation;

(d) Whether such project is well conceived and has a reasonable prospect of success."

On motion, the amendment was adopted.

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Thereupon, Senate Bill No. 2214, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	91
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

Mr. Pickering moved that the rules be suspended for the purpose of considering House Bill No. 1608 out of order, which motion prevailed.

On motion, House Bill No. 1608 was recalled from the Committee on Calendar and Rules.

House Bill No. 1608--To amend Section 54-11-308, Code.

On motion, House Bill No. 1608 was made to conform with Senate Bill No. 1579.

On motion, Senate Bill No. 1579, on same subject, was substituted for House Bill No. 1608.

Mr. Pickering moved that Senate Bill No. 1579 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	92
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray,

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Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return Senate Bill No. 2131, as requested.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**FURTHER CONSIDERATION OF SENATE BILL NO. 2131**

Senate Bill No. 2131--To amend the Exise Tax Law.

Mr. Rhinehart moved that the motion to reconsider Senate Bill No. 2131 be lifted from the table, which motion prevailed.

Mr. Rhinehart moved that the House reconsider its action in passing Senate Bill No. 2131 on third and final consideration, as amended, which motion prevailed.

Mr. Rhinehart moved to amend as follows:

**AMENDMENT NO. 3**

Amend Senate Bill No. 2131 by deleting Sections 2 and 3 in their entirety and by substituting instead the following:

SECTION 2. This act shall become effective upon becoming a law, the public welfare requiring it, but shall be applicable only to returns filed for fiscal years ending on or after July 15, 1982 and ending before July 15, 1983.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2131, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	91
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Harrill,

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Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --91.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return Senate Bill No. 2153, as requested.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**FURTHER CONSIDERATION OF SENATE BILL NO. 2153**

Senate Bill No. 2153--To enact Medical Radiation Inspection Safety Act.

Mr. DePriest moved that the motion to reconsider Senate Bill No. 2153 be lifted from the table, which motion prevailed.

Mr. DePriest moved that the House reconsider its action in passing Senate Bill No. 2153 on third and final consideration, as amended, which motion prevailed.

Mr. DePriest moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 2153 by deleting from Section 3 the following words and figures:

<b>CLASS V</b>	<b>\$250.00 per tube</b>
Priority One Industrial and Educational Radiation Machines:	
All x-ray machines used for industrial radiography and all open-beam analytical x-ray machines and all radiation machines not specifically included in Class I, II, III, IV, V, or VII.	

AND further amend Section 3 by inserting in the listing of the Radiation Machine Classification Schedule a new "Class V" and "Class VI" as follows:

CLASS V

\$200.00 per tube

Priority Two Industrial and Educational Radiation Machines: Closed-beam analytical radiation machines, gauges, industrial radiation machines used in shielded room or cabinet radiography.

CLASS VI

\$250.00 per tube

Priority One Industrial and Educational Radiation Machines: All x-ray machines used for industrial radiography and all open-beam analytical x-ray machines and all radiation machines not specifically included in Class I, II, III, IV, V, or VII.

AND further amend by deleting Section 7 and substituting the following new section:

SECTION 7. Tennessee Code Annotated, Section 53-3310 is amended by deleting subsection (b) in its entirety and substituting the following language: "Radiation machines which are deemed to be totally unusable except for salvage parts."

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2153, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	92
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

**WEDNESDAY, MAY 5, 1982--89th LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution No.:

455--Relative to honoring Dr. Charles Emerson Boddie; concurred in by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, Senate Bill No.:

1419--To amend Section 49-50-102, Code.

The Senate refused to recede from its action in nonconcurring in H. A. Nos. 1, 2 and 3.

The Speaker appointed a Conference Committee composed of Senators Ashe, Rucker and Henry to confer with a like Committee from the House to resolve the differences of the two bodies on S. B. No. 1419.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

Mr. Hudson moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 1419, which motion prevailed.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed Representatives Hudson, Owen and Clark (Sumner) as the Conference Committee on Senate Bill No. 1419.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, Senate Bill No.:

682--To enact "Juvenile Court Restructure Act of 1981."

The Senate nonconcurred in House Amendments Nos. 1, 2, 3 and 5.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

Mr. Cobb moved that the House refuse to recede from its action in adopting Amendments Nos. 1, 2, 3 and 5 to Senate Bill No. 682, which motion prevailed.



**WEDNESDAY, MAY 5, 1982--89th LEGISLATIVE DAY**

Mr. Stallings moved that the rules be suspended for the purpose of introducing House Bill No. 2411 out of order, which motion prevailed.

**INTRODUCTION OF BILL**

House Bill No. 2411--To create Board of Education, Hardeman County - By Stallings.

Passed first consideration.

Mr. Miller moved that the rules be suspended for the purpose of recalling House Bill No. 1769 from the Committee on State and Local Government, which motion prevailed.

Mr. Miller moved that House Bill No. 1769 be held on the Clerk's Desk, which motion prevailed.

**RECESS**

On motion of Mr. McKinney, the House recessed until 3:30 today.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

281--Relative to honoring Dortch Oldham; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1548--To amend Section 16-15-205, Code; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

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451--Relative to congratulating Green Wave boys basketball team;

453--Relative to honoring Miss Yvette Rhodes;

456--Relative to honoring Wink Martindale;

459--Relative to honoring Reverend Charles Cartwright;

461--Relative to commending David Welles; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

283--Relative to commending Herman E. Baggenstoss;

284--Relative to congratulating Dorris Fly Parkins;

285--Relative to congratulating Richard Burrow; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.:

2072--To regulate state senatorial districts; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**CALENDAR**

Mr. Wolfe moved that House Bill No. 2201 be placed on the Calendar for tomorrow, which motion prevailed.

Mr. Richardson moved that House Bill No. 2306 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. King (Shelby) moved that House Bill No. 2268 be placed on the Calendar for tomorrow, which motion prevailed.

Mr. Brewer moved that House Bill No. 1151 be placed on the Calendar for tomorrow, which motion prevailed.

Mr. Brewer moved that House Bill No. 2084 be placed on the Calendar for tomorrow, which motion prevailed.

Mr. Hillis moved that House Bill No. 2145 be referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Henry (Roane) moved that House Bill No. 2276 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Murphy (Davidson) moved that Senate Bill No. 1639 be placed on the Calendar for tomorrow, which motion prevailed.

Mr. Starnes moved that House Bill No. 1791 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Senate Bill No. 2118--To regulate leasing of property to blind persons.

Mr. Murphy (Davidson) moved that Senate Bill No. 2118 as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	89
Noes . . . . .	0
Present and not voting . . . . .	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Brewer, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Shockley, Sir, Small, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

Representatives present and not voting were: Henry (Blount), Moore, Severance and Smith--4.

A motion to reconsider was tabled.

Mr. King (Shelby) moved that House Bill No. 697 be placed on the Calendar for Calendar and Rules, which motion prevailed.

Mr. Davis (Hamilton) moved that Senate Bill No. 1473 be placed on the Calendar for tomorrow, which motion prevailed.

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Mr. Sir moved that House Bill No. 2272 be placed on the Calendar for tomorrow, which motion prevailed.

Mr. Henry (Roane) moved that House Bill No. 2375 be placed on the Calendar for tomorrow, which motion prevailed.

Senate Joint Resolution No. 204--Relative to retaining United States Department of Education.

Mr. Starnes moved that Senate Joint Resolution No. 204 be concurred in, which motion prevailed.

A motion to reconsider was tabled.

Mr. Chiles asked to be recorded as voting no on Senate Joint Resolution No. 204.

Mr. Scruggs asked to be recorded as voting no on Senate Joint Resolution No. 204.

On motion of Mr. Whitson, House Bill No. 2052 was withdrawn from the House.

House Bill No. 2363--To provide for osteopathic physicians.

On motion, House Bill No. 2363 was made to conform with Senate Bill No. 2229.

On motion, Senate Bill No. 2229, on same subject, was substituted for House Bill No. 2363.

Mr. Turner moved that Senate Bill No. 2229 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	97
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

Mr. Cobb moved that House Bill No. 2055 be placed on the Calendar for tomorrow, which motion prevailed.

On motion of Mr. Jared, House Bill No. 2223 was withdrawn from the House.

On motion, Senate Bill No. 1817 was recalled from the Committee on State and Local Government.

House Bill No. 2277--To amend Section 57-4306, Code.

On motion, House Bill No. 2277 was made to conform with Senate Bill No. 1817.

On motion, Senate Bill No. 1817, on same subject, was substituted for House Bill No. 2277.

Mr. Davis (Hamilton) moved that Senate Bill No. 1817 be passed on third and final consideration.

Mr. Phillips moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 1817 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

**SECTION 3** . . . The provisions of this act shall not apply in any county having a population of not less than 27,900 nor more than 27,920 according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1817, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	93
Noes . . . . .	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson,

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Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton--93.

Representative voting no was: McAfee--1.

A motion to reconsider was tabled.

### **CONSENT CALENDAR**

House Resolution No. 160--Relative to commending Home Federal Savings, Knoxville.

House Resolution No. 161--Relative to commending employees, House Clerk's Office.

House Resolution No. 162--Relative to certain House employees and Capitol Police.

House Joint Resolution No. 464--Relative to commending employees, Legal Services Offices.

House Joint Resolution No. 465--Relative to commending certain legislative employees.

Senate Joint Resolution No. 262--Relative to congratulating Franklin High School Marching Band.

Senate Joint Resolution No. 264--Relative to sympathy, Don Welch.

Senate Joint Resolution 265--Relative to coach Gary Houck and Lake City High School boys' basketball team.

Senate Joint Resolution No. 266--Relative to congratulating Coach Tony Gross and Lake City High School girls basketball team.

Senate Joint Resolution No. 276--Relative to commending Tennessee Affiliate, American Heart Association.

Senate Joint Resolution No. 277--Relative to honoring Mildred Eloise Doyle.

Mr. Gill moved that all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes . . . . .	98
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

Mr. Stallings moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 272 out of order, which motion prevailed.

Senate Joint Resolution No. 272--Relative to inspection of nursing homes.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Stallings, the resolution was concurred in.

A motion to reconsider was tabled.

Mr. Burnett moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 280 out of order, which motion prevailed.

Senate Joint Resolution No. 280--Relative to sine die adjournment, 92nd General Assembly.

Mr. Burnett moved that Senate Joint Resolution No. 280 be concurred in, which motion prevailed by the following vote:

Ayes . . . . .	97
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest,

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Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

2126--To regulate compensation, courts of general sessions.

The Senate refused to recede from its action in nonconcurring in House Amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 17 and 19.

The Speaker appointed a conference committee composed of Senators Koella, Crouch and Ortwein to confer with a like committee from the House to resolve the differences of the two bodies on Senate Bill No. 2126.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Mr. Murphy (Davidson) moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 2126, which motion prevailed.

### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Murphy (Davidson), Murphy (Shelby) and Carter as the Conference Committee on Senate Bill No. 2126.

### FURTHER CONSIDERATION OF SENATE BILL NO. 1702

Senate Bill No. 1702--To regulate Tennessee Governmental Tort Liability Act.

Mr. Murphy (Davidson) moved that Senate Bill No. 1702 be passed on third and final consideration.

On motion, the motion to reconsider was lifted from the table.



On motion, the House reconsidered its action in passing Senate Bill No. 1702 on third and final consideration.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 1

Amend by deleting from the first sentence of the amendatory language of subsection (1) of Section 1 the words "for property damage or".

FURTHER AMEND by deleting the period at the end of the first sentence of the amendatory language of subsection (1) of Section 1 and adding the following:

"and to a limit of not less than fifty thousand dollars (\$50,000) for injury to or destruction of property of others in any one accident."

FURTHER AMEND by adding the following new section immediately preceding the final section and by renumbering such final section accordingly:

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 29-20-403 is amended by deleting from part (2) of subsection (b) the words and figure "ten thousand dollars (\$10,000)" and substituting instead the words and figures "twenty thousand dollars (\$20,000)".

FURTHER AMEND by deleting the final section and substituting instead the following:

This act shall take effect on July 1, 1983.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1702, as amended, passed it third and final consideration by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir,

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Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work and Yelton--95.

A motion to reconsider was tabled.

Mr. DePriest moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 474 out of order, which motion prevailed.

House Joint Resolution No. 474--Relative to naming Tennessee National Guard Armory in Pulaski--By DePriest.

Mr. DePriest moved that House Joint Resolution No. 474 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

Mr. Love moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 475 out of order, which motion prevailed.

House Joint Resolution No. 475--Relative to recognizing Mrs. Barbara Mann--By Love.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Love, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Love moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 477 out of order, which motion

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prevailed.

House Joint Resolution No. 477--Relative to commending Tennessee State University Alumni--By Love.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Love, the resolution was adopted.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

682--To enact "Juvenile Court Restructure Act of 1981."

The Senate refused to recede from its action in nonconcurring in House Amendments Nos. 1, 2, 3 and 5.

The Speaker appointed a Conference Committee composed of Senators Blank, Person and Rucker to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 682.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Mr. Cobb moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 682, which motion prevailed.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed Representatives Cobb, Murphy (Davidson) and Covington as the Conference Committee on Senate Bill No. 682.

Mr. Frensley moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 468 out of order, which motion prevailed.

House Joint Resolution No. 468--Relative to honoring James Hanner Armistead--By Frensley.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Frensley, the resolution was adopted.

A motion to reconsider was tabled.

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**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1570--To amend Section 41-1219, Code.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**CONFERENCE COMMITTEE REPORT ON SENATE BILL 1570**

The conference committee appointed to resolve the differences between Senate Bill No. 1570/House Bill No. 1545 has met and recommends that House Amendment No. 1, as amended by Amendments Nos. 1 and 2 to such amendment, and House Amendment No. 3 be adopted, and that House Amendment No. 2 be adopted with the following changes:

delete the first paragraph of such amendment in its entirety and substitute instead the following:

by deleting the last sentence of the amendatory language of Section 1 which reads as follows:

All decisions of the disciplinary review board may be appealed to the sheriff or superintendent of the institution, or his designated representative, and his decisions shall be final.

and by substituting instead the following language:

The decisions of the disciplinary review board for workhouse inmates may be appealed to the county executive, or chief elected officer of any county having a metropolitan form of government, where such institution is located, and such decisions for inmates of the county jail may be appealed to the sheriff of the county where such institution is located and the decision of such person shall be final.

Respectfully submitted,

FOR THE SENATE

Sen. James H. White  
Sen. Koella  
Sen. Edward Davis

FOR THE HOUSE

Rep. Joe Kent  
Rep. Ray Clark  
Rep. Chris Turner

Mr. Kent moved that the Report of the Conference Committee on Senate Bill No. 1570 be adopted and made the action of the House,

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which motion prevailed by the following vote:

Ayes . . . . .	96
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

Mr. Ussery moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 467 out of order, which motion prevailed.

House Joint Resolution No. 467--Relative to creating special committee, study of General Assembly compensation--By Ussery.

Mr. Ussery moved that House Joint Resolution No. 467 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	85
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), DeBerry, Dills, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, and Yelton--85.

Representative present and not voting was: Wood--1.

A motion to reconsider was tabled.

Mr. Ussery moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 480 out of order, which motion prevailed.

House Joint Resolution No. 480--Relative to erecting a monument, Vietnam Veterans--By Murphy (Davidson), Miller, Ussery, Henry (Roane), Yelton, Hurley, Disspayne, Hillis, Akard, Johnson, Shockley, Lashlee, Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Hudson, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Love, McAfee, McKinney, McNally, Martin, Montgomery, Moore, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Ussery, the resolution was adopted.

A motion to reconsider was tabled.

#### **MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1662--To regulate limitations, certain vehicles.

The Senate refused to recede from its action in nonconcurring in House Amendments Nos. 2 and 6.

The Speaker appointed a Conference Committee composed of Senators O'Brien, Gillock and Elkins to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 1662.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Mr. Wheeler moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 1662, which motion prevailed.

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**APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed Representatives Wheeler, McKinney and Henry (Roane) as the Conference Committee on Senate Bill No. 1662.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

2170--To amend Section 62-617, Code.

The Senate refused to recede from its action in adopting Senate Amendment No. 2.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Mr. Wheeler moved that the House refuse to recede from its action in nonconcurring in Senate Amendment No. 2 to House Bill No. 2170, which motion prevailed.

Mr. Wheeler moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate to resolve the differences between the House and Senate on House Bill No. 2170, which motion prevailed.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed Representatives Wheeler, Davis (Pickett) and Clark (Sumner) as the Conference Committee on House Bill No. 2170.

Mr. Wheeler moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 483 out of order, which motion prevailed.

House Joint Resolution No. 483--Relative to commending Jake Butcher--By Wheeler, Naifeh, Tanner, Miller, Owen, Burnett and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wheeler, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Hudson moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 472 out of order, which motion prevailed.

House Joint Resolution No. 472--Relative to expressing appreciation, Representative Clifford "Bo" Henry--By Hudson, Akard,

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Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

Mr. Hudson moved that House Joint Resolution No. 472 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	94
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

Mr. Hudson moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 473 out of order, which motion prevailed.

House Joint Resolution No. 473--Relative to expressing appreciation, Representative Brad Martin--By Hudson, Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington),



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Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

Mr. Hudson moved that House Joint Resolution No. 473 be adopted, which motion prevailed by the following vote:

Ayes . . . . . 94

Noes . . . . . 0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Martin, Speaker pro tem.

Ms. Gaia moved that the rules be suspended for the purpose of introducing House Resolution No. 164 out of order, which motion prevailed.

House Resolution No. 164--Relative to memory, Dr. Morris Herman Zangwill--By Gaia.

Ms. Gaia moved that the rules be suspended for the immediate consideration of House Resolution No. 164, which motion prevailed.

On motion of Ms. Gaia, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Scruggs moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 470 out of order, which motion prevailed.

House Joint Resolution No. 470--Relative to honoring Representative Sharon Bell--By Scruggs, Smith, Montgomery, Miller,

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Severance, Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Shockley, Sir, Small, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

Mr. Scruggs moved that House Joint Resolution No. 470 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	96
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

Mr. Scruggs moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 476 out of order, which motion prevailed.

House Joint Resolution No. 476--Relative to honoring John Ribble--By Scruggs.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Scruggs, the resolution was adopted.

A motion to reconsider was tabled.

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Mr. Lashlee moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 471 out of order, which motion prevailed.

House Joint Resolution No. 471--Relative to extension of date task force on education report--By Lashlee.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Lashlee, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Baker moved that the rules be suspended for the purpose of considering House Joint Resolution No. 460 out of order, which motion prevailed.

House Joint Resolution No. 460--Relative to Public Service Commission.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Baker, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Kelley moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 466 out of order, which motion prevailed.

House Joint Resolution No. 466--Relative to expressing sorrow, death of E. E. Deuscher--By Kelley.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Kelley, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Kelley moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 485 out of order, which motion prevailed.

House Joint Resolution No. 485--Relative to expressing sorrow, death of Mr. W. Hance Lassiter--By Kelley.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Kelley, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Miller moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 481 out of order, which motion prevailed.

House Joint Resolution No. 481--Relative to naming Tennessee Building at the 1982 World's Fair--By Miller, Scruggs, Henry (Roane), McKinney, Bragg, Robertson, Work, Stafford, Burnett and Wheeler.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Miller, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Miller moved that House Joint Resolution No. 481 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	90
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

#### FURTHER CONSIDERATION OF HOUSE BILL NO. 1771

House Bill No. 1771--To regulate coon-dog training, certain counties.

Mr. Ford moved that the motion to reconsider House Bill No. 1771 be lifted from the table, which motion prevailed.

Mr. Ford moved that the House reconsider its action in passing House Bill No. 1771 on third and final consideration, as amended, which motion prevailed.

Mr. Ford moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1771 by inserting the following new sections immediately before the effective date section and numbering the sections accordingly:

Section \_\_\_\_ . Tennessee Code Annotated, Section 51-441, is amended by deleting the following language:

It shall be unlawful for any person to train coon dogs by chasing coons in Cocke County, except that it shall be lawful for licensed kennel clubs in Cocke County to conduct an unlimited number of field trials and all-night hunts for raccoons in Cocke County during the training season specified herein. The training season shall be each Friday and Saturday night of each week from sunset to sunrise on each night. The field trials and all-night hunts shall be chase only and no coons shall be taken except during open season in such county.

and inserting instead the following new language:

Provided, however, it shall be lawful in Cocke County to have a jump-out training season during the period each year from October 9 through November 1, and notwithstanding other provisions of this section, it shall be lawful to train coon dogs in Cocke County at any time of the year except during the period each year from March 1 to May 15, so long as coons are not taken except during open season thereon.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1771, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	91
Noes . . . . .	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

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Representative voting no was: Webb--1.

A motion to reconsider was tabled.

Mr. Ford moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 478 out of order, which motion prevailed.

House Joint Resolution No. 478--Relative to congratulating Dr. Glenn C. Schultz--By Ford and Bewley.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Ford, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Ford moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 479 out of order, which motion prevailed.

House Joint Resolution No. 479--Relative to congratulating Dr. Fred M. Valentine, Jr.--By Ford and Bewley.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Ford, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Davis (Gibson) moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 284 out of order, which motion prevailed.

Senate Joint Resolution No. 284--Relative to congratulating Dorris Fly Parkins.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Davis (Gibson), the resolution was concurred in.

A motion to reconsider was tabled.

Mr. Davis (Gibson) moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 285 out of order, which motion prevailed.

Senate Joint Resolution No. 285--Relative to congratulating Richard Burrow.

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On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Davis (Gibson), the resolution was concurred in.

A motion to reconsider was tabled.

### FURTHER CONSIDERATION OF HOUSE BILL NO. 1771

House Bill No. 1771--To regulate coon-dog training, certain counties.

Mr. Ford moved that the motion to reconsider House Bill No. 1771 be lifted from the table, which motion prevailed.

Mr. Ford moved that the House reconsider its action in passing House Bill No. 1771 on third and final consideration, as amended, which motion prevailed.

Mr. Ford moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Ford moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, House Bill No. 1771, passed its third and final consideration by the following vote:

Ayes . . . . .	93
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

Mr. Ford moved that House Bill No. 2402 be re-called from the Committee on State and Local Government which motion prevailed.

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Mr. Ford moved for immediate consideration of House Bill No. 2402, which motion prevailed.

House Bill No. 2402--To provide for enforcement of ordinances, certain municipalities.

Mr. Ford moved that House Bill No. 2402 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	93
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter--93.

Representative present and not voting was: Duer--1.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

2001--To regulate rights, certain police officer during agency investigations.

The Senate concurred in House Amendment No. 4 and nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Mr. Covington moved that the House refuse to recede from its action in adopting Amendment No. 1 to Senate Bill No. 2001, which motion prevailed.



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**MOTION FILED UNDER RULE NO. 52**

**MR. SPEAKER:** I wish to advise the House that at a later date I will make a motion to recall House Bill No. 1752 from the Committee on Calendar and Rules for the purpose of placing said bill on the Calendar for third and final consideration, as provided for in Rule No. 52.

**REPRESENTATIVE SMITH**

Under the rules, the motion lies over.

**MR. SPEAKER:** I wish to advise the House that at a later date I will make a motion to recall House Bill No. 2058 from the Committee on Calendar and Rules for the purpose of placing said bill on the Calendar for third and final consideration, as provided for in Rule No. 52.

**REPRESENTATIVE SMITH**

Under the rules, the motion lies over.

**NOTICE TO OVERRIDE VETO**

**MR. SPEAKER:** I hereby file notice under House Rule No. 77 that I plan to move House Bill No. 2101 for passage, notwithstanding the objections of the Executive.

**REPRESENTATIVE S. T. BURNETT**

Under the rules, the notice lies over.

**NOTICE TO OVERRIDE ITEM VETO**

**MR. SPEAKER:** In accordance with House Rule No. 77, I hereby give notice that at a later date I will move to repass Section 12, Item 18, of House Bill No. 1739, the Governor's objections to the contrary notwithstanding, as provided in Article III, Section 18 of the Constitution of Tennessee.

**REPRESENTATIVE MIKE MURPHY**

Under the rules, the notice lies over.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, Senate Bill No.:

1532--To provide dental insurance coverage, education employees.

The Senate repassed Senate Bill No. 1532, the Governor's objections to the contrary notwithstanding.

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A copy of the Governor's Veto Message is attached.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Dear Governor Wilder,

I am returning Senate Bill No. 1532/House Bill No. 2187 with my veto.

This bill authorizes a dental plan for teachers. I am afraid no one will benefit from this so-called benefit.

Somehow word has gotten around that dental insurance for teachers and state employees will be:

- (1) optional for each employee;
- (2) free;
- (3) cover almost everything.

None of this is true.

Instead, every employee and teacher will have to join. They will have to pay for it - and it is very expensive - and the coverage will be limited.

I think most teachers would rather have a larger pay increase instead.

Here are three problems with this bill:

- (1) The main problem is that teachers will pay for it themselves, either out of take home pay or out of dollars that otherwise would be spent for teachers' pay increases.

Every teacher would be required to join.

They will be disappointed with what they get. Even a minimum dental insurance program that would not cover most significant dental work would cost about \$11 million - worth about a one and one half percent annual pay increase for every teacher.

That chunk out of the teachers' paychecks is likely to increase enormously. The cost of state employees' medical insurance - again which comes out of their paychecks - goes up 46% this year.

- (2) I don't believe most legislators were aware when they passed this bill that the State has never before paid for teachers' medical insurance. It is a responsibility of local governments. The State pays all of the cost of its employees' salary and benefits, but teachers are the employees of local

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school boards. The State's money for teachers has always gone all to establish a minimum salary base. This would be a huge new annual expense.

(3) It is bad practice to pass a bill this year requiring insurance next year. It avoids the hard question: Where is the money? The General Assembly's experience with last year's requirement that state employees get dental insurance is a good lesson. When push came to shove this year, the General Assembly put all the available money into a pay increase leaving none for a dental plan. I would have to agree that this decision benefits employees more. I think employees will too.

I recommend that the General Assembly reconsider next year whether it really helps anybody - especially employees - to set up a plan that requires every employee to take money from his pay increase to pay for a relatively inadequate but expensive program of dental insurance.

Simply put, I think most employees would rather have a pay increase.

Sincerely,

Lamar Alexander

**NOTICE TO OVERRIDE VETO**

MR. SPEAKER: I hereby file notice under House Rule No. 77 that I plan to move Senate Bill No. 1532 for passage, notwithstanding the objections of the Executive.

REPRESENTATIVE FRANK LASHLEE

Under the rules, the notice lies over.

**NOTICE TO OVERRIDE VETO**

MR. SPEAKER: I hereby file notice under House Rule No. 77 that I plan to move Senate Bill No. 1751 for passage, notwithstanding the objections of the Executive.

REPRESENTATIVE SHELBY RHINEHART

Under the rules, the notice lies over.

**NOTICE TO OVERRIDE ITEM VETO**

MR. SPEAKER: In accordance with House Rule No. 77, I hereby give notice that at a later date I will move to repass Section 53, of House Bill No. 1739, the Governor's objections to the contrary notwithstanding, as provided in Article III, Section 18 of the Constitution of Tennessee.

REPRESENTATIVE STEVE COBB

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Under the rules, the motion lies over.

**NOTICE TO OVERRIDE ITEM VETO**

MR. SPEAKER: In accordance with House Rule No. 77, I hereby give notice that at a later date I will move to repass Section 12, Item 24, of House Bill No. 1739, the Governor's objections to the contrary notwithstanding, as provided in Article III, Section 18 of the Constitution of Tennessee.

REPRESENTATIVE STEVE COBB

Under the rules, the notice lies over.

**NOTICE TO OVERRIDE ITEM VETO**

MR. SPEAKER: In accordance with House Rule No. 77, I hereby give notice that at a later date I will move to repass Section 12, Item 33, of House Bill No. 1739, the Governor's objections to the contrary notwithstanding, as provided in Article III, Section 18 of the Constitution of Tennessee.

REPRESENTATIVE STEVE COBB

Under the rules, the notice lies over.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1730--To amend Section 8-33-204, Code.

The Senate substituted the Minority Report for the Majority Report and the Minority Report failed.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Mr. Rhinehart moved that the Speaker re-appoint the Conference Committee to meet with a like committee from the Senate to resolve the differences between the House and Senate on House Bill No. 1730, which motion prevailed.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker reappointed Representatives Lashlee, Rhinehart and King (Washington) as the Conference Committee on House Bill No. 1730.

**SECOND ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 98

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

**SENATE BILLS ON FIRST CONSIDERATION**

Senate Bill No. 1562--To regulate care, certain inmates.

Passed first consideration.

Senate Bill No. 1927--To authorize bond issuance, Funding Board.

Passed first consideration.

**HOUSE BILLS ON SECOND CONSIDERATION**

House Bill No. 2408--To regulate operation, hot mix asphalt plants.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2409--To regulate consumption of alcoholic beverages.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2410--To appropriate certain block grant funds.

Passed second consideration and referred to Committee on Finance, Ways and Means.

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1548, 1592, 1910, 1927 and 1947; and House Joint Resolutions Nos. 451, 453, 455, 456, 459 and 461; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 1548, 1592, 1910, 1927 and 1947; and House Joint Resolutions Nos. 451, 453, 455, 456, 459 and 461.

**ENGROSSED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 2402; and House Joint Resolutions Nos. 460, 464, 465, 466, 467, 468, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 483 and 485; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1769--Owen, Miller

House Bill No. 1752--Owen

**INTRODUCTION OF RESOLUTIONS**

House Resolution No. 163--Relative to commending Mr. Phillip Wayne Bolus--By Robinson (Davidson), Buck and Yelton.

House Joint Resolution No. 469--Relative to congratulating John Seigenthaler--By Covington.

House Joint Resolution No. 482--Relative to urging Department of Transportation to erect certain signs--By Kernell and Gill.

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House Joint Resolution No. 484--Relative to memory, Jeff Hester--By Davis (Hamilton), Wood, Starnes, Robinson (Hamilton), Carter, McAfee and Copeland.

House Joint Resolution No. 486--Relative to congratulating Jack Gunter--By Covington.

House Joint Resolution No. 487--Relative to study, noise level intrusion--By Owen and Miller.

The Speaker referred House Resolution No. 163, House Joint Resolutions Nos. 469, 482, 484, 486 and 487 to the Committee on Calendar and Rules.

The Speaker referred Senate Joint Resolutions Nos. 281, 282 and 283 to the Committee on Calendar and Rules.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1575--To provide for Interstate Oil and Gas Compact.

The Senate refused to recede from its action in adopting S. A. Nos. 5 and 6.

The Speaker appointed a Conference Committee composed of Senators Davis (Tipton), Longley and Hicks to confer with a like committee from the House to resolve the differences of the two bodies on House Bill No. 1575.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

On motion of Mr. Burnett, the House adjourned until 10:00 a.m. tomorrow.